

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID JOHN BERG,

Plaintiff,

No. 2:09-cv-1492 MCE KJN P

vs.

KAZALEC, et al.,

Defendants.

ORDER

On May 2, 2011, the court appointed attorney Frank Noey to represent plaintiff in this civil rights action filed pursuant to 42 U.S.C. § 1983. The court suspended the deadline for responding to defendants' pending motion to dismiss (Dkt. No. 29), which is premised in part on a request for more definite statement; the court also noted problems associated with serving process on all defendants (Dkt. No. 30).

In order to assess the most appropriate and efficient path for this case, the parties are directed to file, within thirty days after the filing date of this order, separate status reports<sup>1</sup> that address the following matters: service of process; possible joinder of additional parties; expected or desired amendment of the pleadings; advisability of vacating the pending motion to dismiss without prejudice; anticipated discovery and suggested scheduling thereof; advisability


<sup>1</sup> At the discretion of the parties, one joint status report may instead be filed.

1 of an early settlement conference, and whether the parties consent to the undersigned magistrate  
2 judge acting presiding over settlement negotiations; and any other matters that may add to the  
3 just and expeditious disposition of this action.

4 Absent further order of this court, the court will review the parties' status reports  
5 on the papers, without appearance by any party, and issue an order thereon.

6 SO ORDERED.

7 DATED: June 7, 2011

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10 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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